

347—38.9(94) Required records and report.

38.9(1) *Applicant's record.* Every licensee shall maintain records on all applicants referred for job interviews. The record shall include:

1. Name and address of applicant;
2. Name of employer to whom the applicant is referred;
3. The date that the applicant was referred to a prospective employer for a job or an interview;
4. Type of job offer; and
5. Earnings the employer proposed to pay, if known.

38.9(2) *Business transaction record.* Every licensee shall maintain a record called a business transaction record containing consecutively numbered entries. Each entry shall include:

1. The name and address of the applicant placed;
2. Name and address of employer;
3. Name and title of employer representative;
4. Starting date of position;
5. Starting salary;
6. Whether the fee was employer or applicant paid;
7. If the applicant paid fee:
 - a. Method of payment;
 - b. Amount of fee paid;
8. If applicant paid fee in advance:
 - a. Amount of earnings paid by the employer to the applicant, unless such information is refused by applicant and employer;
 - b. Amount of fee paid;
 - c. Amount of refund, if any.

38.9(3) *Retention of records.* All records listed in subrule 38.9(1) shall be retained for at least two years and all records listed in subrule 38.9(2) shall be retained for at least five years. If records are kept at a location other than the licensee's office the licensee shall give written notification to the commissioner of the address of the location.

38.9(4) *Reports.* Each licensee shall file a report with the commissioner upon Form PEA-4(3096167). The report shall be submitted annually by July 1 for the preceding calendar year from January 1 to December 31. No license shall be renewed unless Form PEA-4(3096167) has been completed and returned to the commissioner.

This rule is intended to implement Iowa Code sections 94.10 and 94.11.